

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

335 RIGHTERS FERRY ROAD, LP,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
MINNO & WASKO ARCHITECTS AND	:	
PLANNERS, PC <i>and</i> MOORE CONSULTING	:	NO. 23-cv-1963
ENGINEERS, LLC,	:	
<i>Defendants.</i>	:	

ORDER

AND NOW, this **1st day of November 2024**, upon consideration of Third-Party Defendant Harkins Builders' Inc. ("Harkins")'s Motion to Dismiss Third-Party Plaintiff Minno & Wasko Architects and Planner, PC ("M&W")'s Third-Party Complaint (ECF No. 81), M&W's Response in Opposition (ECF No. 87), and Harkins's Reply Brief in Further Support of their Motion to Dismiss (ECF No. 92), it is hereby **ORDERED** this Motion is **DENIED** in part and **GRANTED** in part, for the reasons stated in the Court's memorandum, as follows:

1. Harkins's Motion to Dismiss is **DENIED** as to Counts I, II, III, IV, and V.
2. Harkins's Motion to Dismiss is **GRANTED** as to Counts VI and VII, with prejudice.
3. Harkins shall file an Answer to the Third-Party Complaint (ECF No. 72) on or before **November 22, 2024**.

BY THE COURT:

/s/ **Chad F. Kenney**

CHAD F. KENNEY, JUDGE